

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington D.C. 20436

In the Matter of

**CERTAIN SORTATION SYSTEMS,
PARTS THEREOF, AND
PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-460

**NOTICE OF COMMISSION DETERMINATION TO REVIEW AND MODIFY
AN INITIAL DETERMINATION EXTENDING THE TARGET DATE FOR
COMPLETION OF THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review and modify an initial determination (ID) (Order No. 26) issued on May 8, 2002, by the presiding administrative law judge (ALJ) in the above-captioned investigation setting January 25, 2003, as the target date for completion of the investigation. The Commission issued an order waiving Commission rule 210.42(a), which requires issuance of a final initial determination in this investigation by September 25, 2002, and permitting the ALJ to issue his final ID a month later, *i.e.*, by October 25, 2002.

FOR FURTHER INFORMATION CONTACT: Michael Haldenstein, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3041. Copies of the Commission's order, the ALJ's ID and all other nonconfidential documents in the record of this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TTD terminal on 202-205-1810. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION: The Commission instituted this patent-based investigation, which concerns allegations of unfair acts in violation of section 337 of the Tariff Act of 1930 in the

importation and sale of certain sortation systems, parts thereof, and products containing same, on July 25, 2001. 66 *Fed. Reg.* 38741. The complainants, Rapistan Systems Advertising Corporation and Siemens Dematic Corporation, named Vanderlande Industries Nederland BV and Vanderlande Industries, Inc. as respondents. On January 3, 2002, the then presiding ALJ (Judge Terrill) issued an ID (Order No. 10), which extended the target date for completion of the investigation from October 25, 2002, to March 10, 2003. On February 6, 2002, the Commission determined to review and vacate the ID. Consistent with the Commission's vacatur order, the ALJ on February 13, 2002, issued Order No. 13 reestablishing the original target date of October 25, 2002.

On March 6, 2002, the ALJ issued an order (Order No. 20) extending the target date by two months, from October 25, 2002, to December 25, 2002.

On May 2, 2002, the Commission issued an order assigning this investigation to Judge Charles E. Bullock.

On May 8, 2002, the ALJ issued an ID (Order No. 26) extending the target date by one month, from December 25, 2002, until January 25, 2003. Under Commission rule 210.42(a)(1)(i), the ALJ's final ID on the merits would have been due four months earlier, *i.e.*, by September 25, 2002. The Commission, however, determined to review and modify that ID, and to permit the ALJ to issue his final ID a month later, *i.e.*, by October 25, 2002.

By order of the Commission.

Marilyn R. Abbott
Secretary

Issued: May 22, 2002